

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

Tentative Notice of Action

MEETING DATE
September 2, 2005
EFFECTIVE DATE

September 16, 2005

CONTACT/PHONE Brian Pedrotti 788-2788 **APPLICANT**

FILE NO.

Kevin & Patricia Martin

DRC2004-00242

SUBJECT

Request by Kevin Martin to allow construction of a 3,277 square foot primary residence and maximum 600 square foot guest house, which will serve as the primary residence while the larger primary residence is being constructed. The project requires a Minor Use Permit because the applicant is requesting to waive the 50-foot distance requirement from a guesthouse to the primary residence to allow the guesthouse to be 105 feet from the primary residence. The project is located at 224 Squire Canyon Road in the Residential Suburban land use category, approximately 1.5 miles north of the City of Pismo Beach, in the San Luis Bay (Inland) Planning Area.

RECOMMENDED ACTION

Approve Minor Use Permit DRC2004-00242 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION

A Class 3 Categorical Exemption was issued on August 12, 2005.

LAND USE CATEGORY Residential Suburban COMBINING DESIGNATION
None

ASSESSOR PARCEL NUMBER 076-273-018

SUPERVISOR DISTRICT(S)

3

PLANNING AREA STANDARDS:

Sec. 22.106.020 – San Luis Bay Rural Area Standards.

Sec. 22.106.020.E.1. – Squire Canyon. Density limitation, limitation on use.

Does the project meet applicable Planning Area Standards: Yes - see discussion

LAND USE ORDINANCE STANDARDS:

22.10.090 - Height Measurements, 22.10.140 - Setbacks, 22.30.470 - Secondary Dwellings

Does the project conform to the Land Use Ordinance Standards: Yes - see discussion

FINAL ACTION

This tentative decision will become final action on the project, effective on the 15th day following the administrative hearing, or on September 16, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.

EXISTING USES:

Vacant

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Suburban / residence South: Residential Suburban / residence

East: Residential Suburban / residence West: Residential Suburban / residence

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ★ SAN LUIS OBISPO ★ CALIFORNIA 93408 ★ (805) 781-5600 ★ FAX: (805) 781-1242

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Ag Commissioner, C	CDF, City of San Luis Obispo, RWQCB
TOPOGRAPHY: Nearly level to steeply sloping	VEGETATION: Coast live oak, grasses, forbs
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: August 1, 2005

DISCUSSION

LAND USE ORDINANCE STANDARDS:

22.30.410 - Guesthouses and home offices

- a. Limitation on use: Guesthouse may contain living area, maximum of two bedrooms, one bathroom, wet bar, single sink, and under-counter refrigerator not located in separate room. Guesthouse may not contain cooking or laundry facilities. Shall not be allowed on site containing secondary residence. Shall not be provided an electric meter separate from principal residence. As proposed, the project meets these standards.
- b. Location: Not located more than 50 feet from principal residence, or as otherwise approved through a Minor Use Permit, and shall not be located within any required setback area. The applicant has requested this Minor Use Permit in order to locate the guest house 105 feet from the primary residence.

22.10.140 - Setbacks: Setbacks for the project site are 25 feet in the front and 30 feet on the sides and rear of the property.

STAFF COMMENTS:

The proposed guesthouse meets all of the standards in Section 22.30.410 except the standards for location to be not more than 50 feet from the principal residence. The proposed guesthouse is approximately 105 feet from the primary residence.

When considering a waiver request staff evaluates if the additional distance from the primary residence will cause any potential environmental or aesthetic concerns and verifies compatibility with the neighborhood. After visiting the site staff believes the additional distance will not cause any of the previously mentioned concerns and is compatible with the area. The applicant has proposed development on the two nearly level areas on the site, the remainder of the property being steeply sloped with significant vegetation. The sites of the proposed guesthouse and primary residence have been cleared for a number of years, and no impacts to existing vegetation are anticipated. The buildings will be screened from public view by topography and existing vegetation.

<u>Timing of Approval:</u> The site is currently undeveloped. The applicant is requesting approval of a primary dwelling to be converted to guesthouse status at a later date on the property in the absence of a primary residence. The intent of the applicant is to "lock in" a waiver from the distance requirements in anticipation of developing a future primary residence. Upon staff's request, the applicant has provided preliminary elevations and floor plans for the future primary residence, which will provide a measure of assurance of the future proposed development. Staff has included a condition that applicant will need to submit a permit for the primary residence prior to issuance of a building permit for the proposed guesthouse.

Planning Department Hearing Minor Use Permit DRC2004-00242 / Martin Page 3

AGENCY REVIEW:

Public Works – No concerns regarding Public Works issues. Need guest house floor plan. CDF – See attached fire safety plan. Requires setbacks, roof coverings, fire sprinkler system, water storage tank and connection, access road and driveway standards, and vegetative clearance.

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Brian Pedrotti and reviewed by Kami Griffin.

EXHIBIT A - FINDINGS

CEQA Exemption

A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the project is considered new construction of limited small new facilities that will not cause a significant impact to the environment.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the primary residence and guesthouse do not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because primary residence and guesthouse are similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Squire Canyon Road, a local road constructed to a level able to handle any additional traffic associated with the project

Guesthouse Adjustments

G. Modification of the distance a guesthouse can be located from a primary dwelling from 50 feet to allow a guesthouse to be located 105 from the primary dwelling is justified because there are specific conditions of the site that make the standard ineffective. These conditions consist of existing topography which allows development only on two nearly level areas on the property. Further, no significant visual impacts are anticipated due to topography and existing vegetation.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This permit authorizes the construction of a 600 square foot primary dwelling which may be converted to Guesthouse status at a later date upon application and issuance of a construction permit for a subsequent dwelling that will become the Primary Dwelling in place of this residence. The primary residence is proposed to be 3,277 square feet. Buildings shall be a maximum of 35 feet in height from average natural grade.

Waiver of the distance standard of LUO Section 22.30.410 is approved by this Minor Use Permit. Specifically, the distance waiver of 50 feet is approved to allow a maximum of 105 feet between the primary residence and guesthouse.

The future conversion of this residence to a Guesthouse will be subject to the rules governing the establishment of Guesthouse in place at that time. No provision is made or implied by this approval that the rules in place at this time will be vested for a future Guesthouse unless the future dwelling which will be subsequently become the primary dwelling is also vested before these rules are changed. The future primary dwelling will become vested at the point a construction permit has been issued for it.

Conditions required to be completed at the time of application for construction permits

Site Development

2. At the time of application for construction permits plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.

Drainage

3. At the time of application for construction permits, the applicant shall provide a drainage plan to the Public Works Department for review and approval, subject to Section 23.05.044 of the Land Use Ordinance.

Fire Safety

4. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated June 8, 2005.

Services

- 5. At the time of application for construction permits, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
- 6. At the time of application for construction permits, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

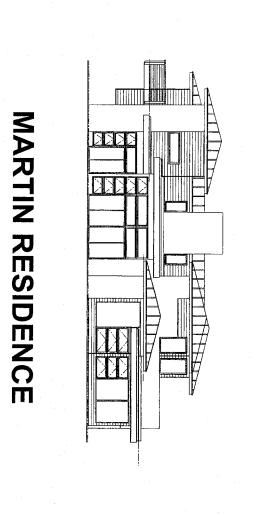
Planning Department Hearing Minor Use Permit DRC2004-00242 / Martin Page 6

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

- 7. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
- 8. **Prior to occupancy of any structure associated with this approval,** the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

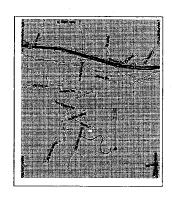
On-going conditions of approval (valid for the life of the project)

- 9. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
- 10. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.









SCHEDULE OF CHANGES	
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PROJECT DATA		
ALL BUTTERS		
LOCATION:	224 SQUEE CANYON SAN LUS CRISPO, CA \$5401	
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LEGAL DESCRIPTION	LYNG WITH LOT B, OF THE RANCHO BAN MIGHERO, STATE OF CALIFORNA	NICHO BAN OBIGPO, STATE O
\$	076-273-DB	
BITE AREA	154,055,64 SQ FT (3.54 ACRES)	
ACTUAL BLDG. COMBAGE	OSK FOOTPRNT COVERAGE (FOOTPRINT AREA-3,997 SQ.FT.)	
BUILDING BUILDING		
USF	NEW, 4 BEDROOM, BNIGHT FAMILY REBIDENCE WITH ATTACHED 2 - CAR GARAGE	LY RESIDENCE WIT
OCCUPANOT:	2	
CONSTRUCTION	TIPE V.N. SPRINGERED	
NUMBER OF STORES	DW.	
BULDING AREA:	RESIDENCE:	3277 SQ. FT.
	TOTAL BARAGE	849 8Q FT.
ALLOWABLE BUILDING HEIGHT: 35-07	D-56	
PROPOSED BUILDING HIDGETT	F.O.	

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TITLE SHEET

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BOATTO STATEMENT

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MARTIN RESIDENCE

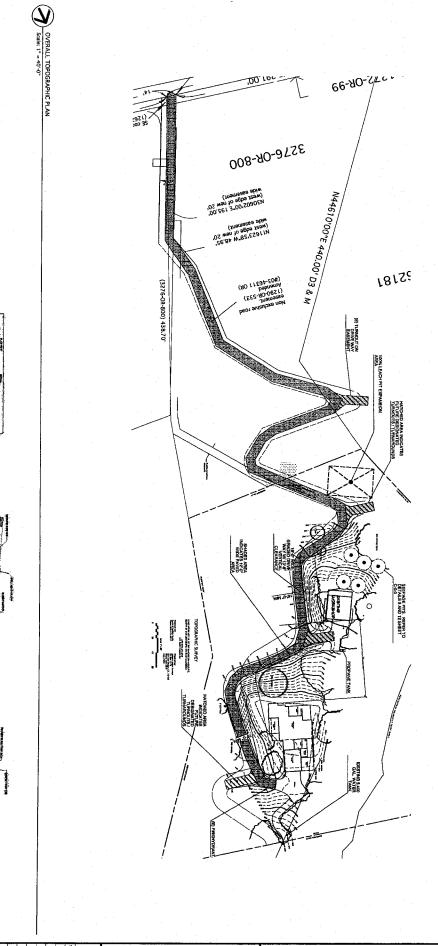
WAY SPERTING 41 STA

224 SQUIRE CANYON RD
SAN LUIS OBISPO





SHEET INDEX
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16 SEPTIC TANK SCHEMATIC

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SEEPAGE PIT CROSS SECTION

9

DAYLIGHT REQUIREMENTS FOR WASTEWATER DISPOSAL SYSTEM

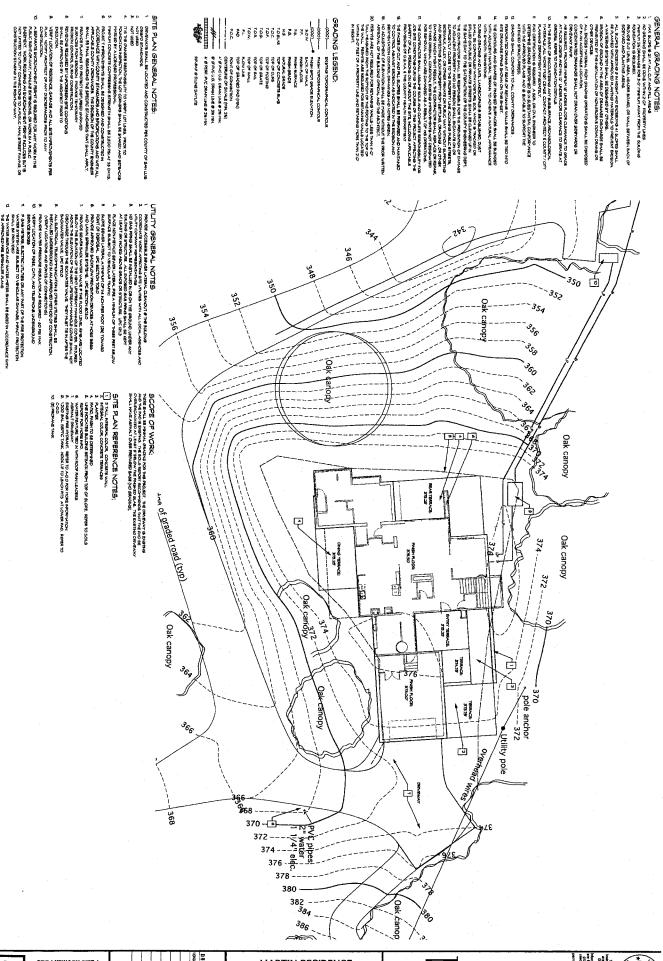




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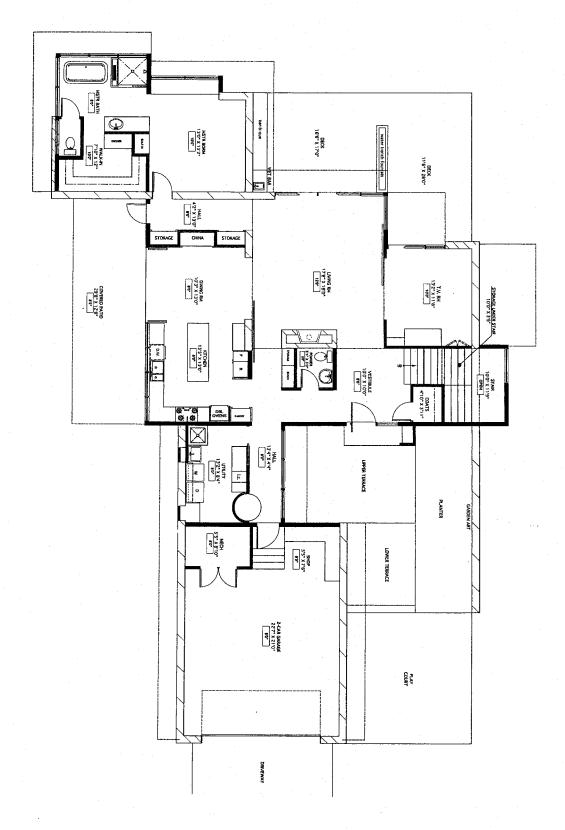














FLOOR PLAN FIRST FLOOR O4007

MARTIN RESIDENCE

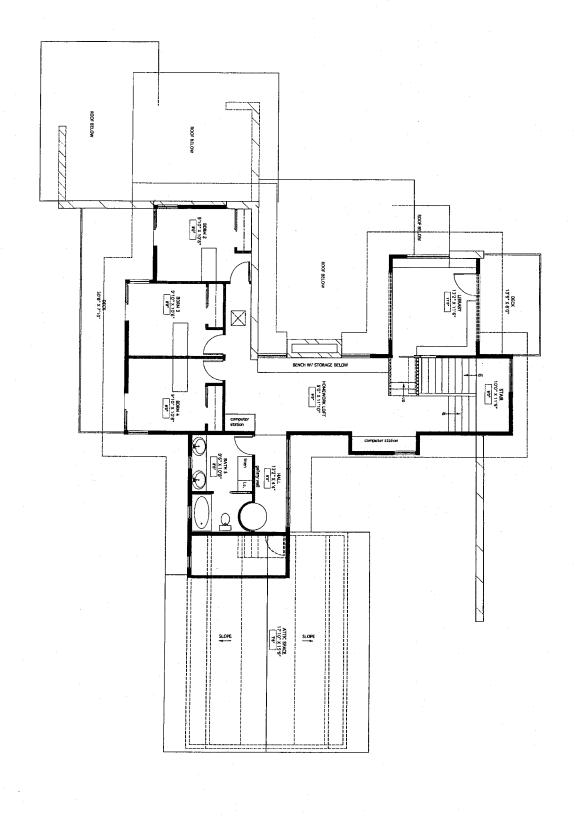
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MARTIN RESIDENCE

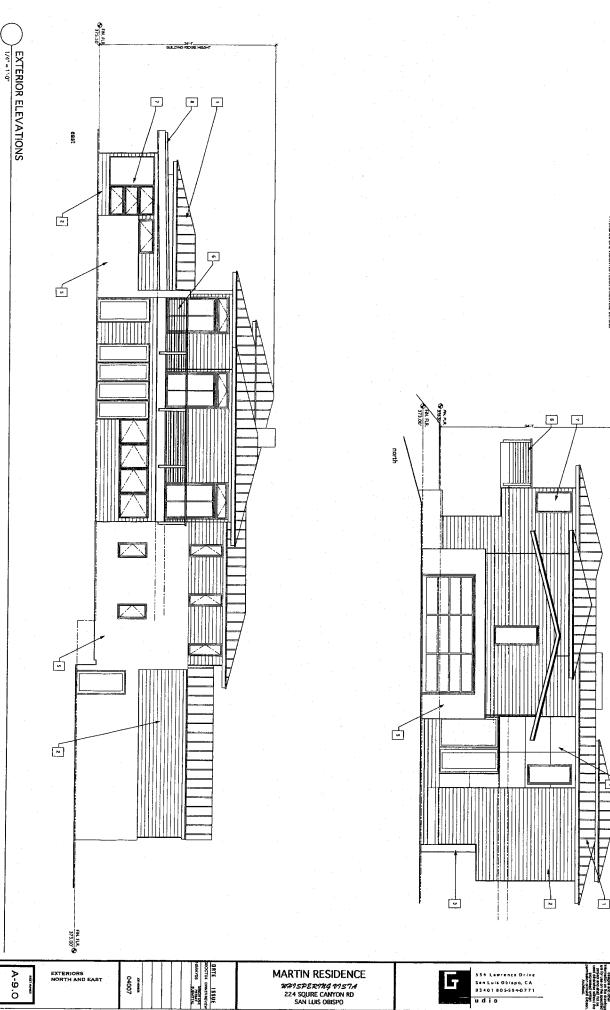
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SAN LUIS OBISPO

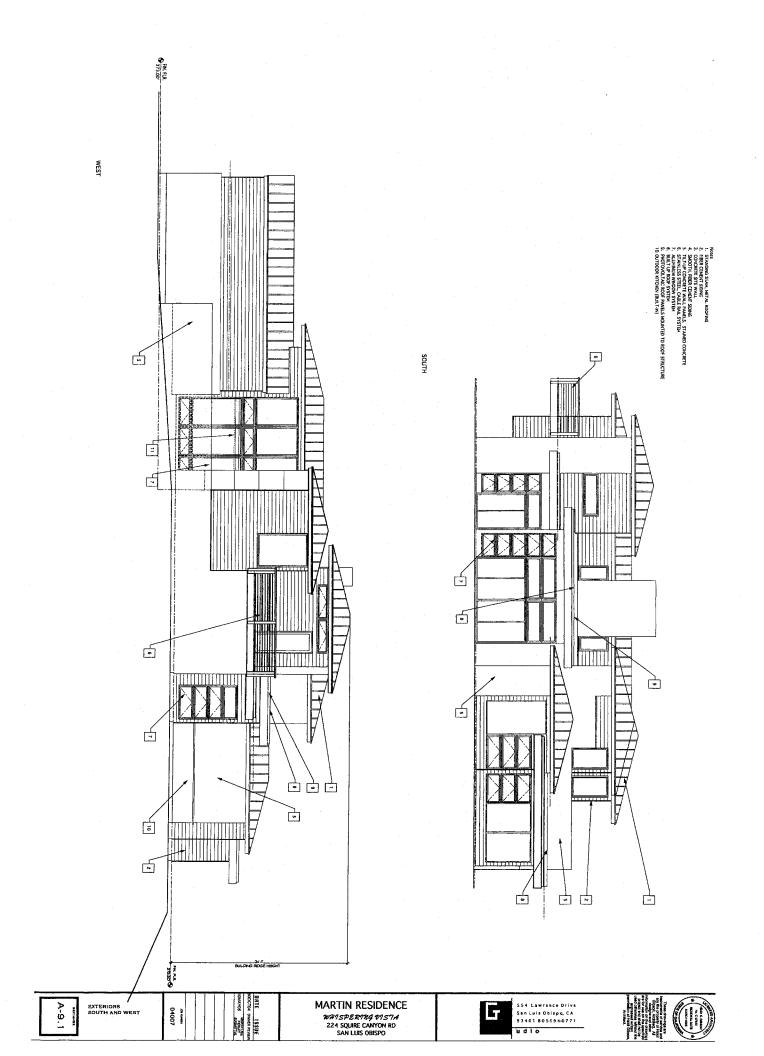












SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

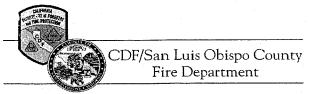
VICTOR HOLANDA, AICP DIRECTOR

MAY 16 2005

	THIS IS A NEW PROJECT REFERRAL
DATE:	5/12/05
ROM	PW
n.ep.	South Co Team Martin
FROM	(Please direct response to the above)
	Project Name and Number *OR ASK THE SWITCH-
	Development Review Section (Phone: 188-2009) (BOARD FOR THE PLANNER) Distance walver for secondary dwelling.
PROJECT DI	
attach	ed 2-car garage. Located off Squire Cyn.
Rd., 8	NO on 3.5 acres. APN: 076-273-018.
Seconda	of dwelling/quest house to be (000 of.
Return this lett	ter with your comments attached no later than: 5/27/05
PART I	IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
	? YES
	NO
PART II	ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
	NO (Please go on to Part III) YES (Please describe impacts, along with recommended mitigation measures to
	YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
PART III	INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE
Size Ray	DOES NOT SHOW GUEST HOUSE, NO FLOOR PLAN FOR GUEST HOUSE (NO KITCHEN, NO
Laundry).	No Secondary Dwellings until LOT IS ABOUT GOO. Appl. SUGGESTS GUEST
House to	be CO-LOCATED WITH SHOP 114 ft From MAIN HOUSE WHERE OVE Albus Soft.
THERE AVE	A some Sul and so to Some less BSD?
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Date	Name Phone
	t Referral - #216 Word.doc Revised 4/4/03
	COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: F	olanning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

GENERAL APPLICATION FORM

	San Luis Obispo County Department of Planning and Building File No
	APPLICATION TYPE CHECK ALL THAT APPLY Emergency Permit
	APPLICANT INFORMATION Check box for contact person assigned to this project Zi Landowner Name Kevin & Patricia Martin Daytime Phone 441-8257 Mailing Address 334 Squire Cun Rd Sio Zip 93401 Email Address: Patriove@ addresm
	☐ Applicant Name Daytime Phone Mailing Address Zip Email Address:
	Mailing Address: K. heidi C. hq - Studio. Com
	PROPERTY INFORMATION Total Size of Site: 3.5 acres Assessor Parcel Number(s): 076-273-018 Legal Description: Address of the project (if known): 224 Squire Cyn. Rd SLO
	Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: Moroday Rd to Squire Cyn. Monte
	Describe current uses, existing structures, and other improvements and vegetation on the property: PERMIT FOR A WORKSHOP/STVDIO TO BE BUILT THIS SUMMER.
) Desc	PROPOSED PROJECT Describe the proposed project (inc. sq. ft. of all buildings): NEW 3,277 50. FT.S PESIDENCE W/ATTACHED 1-CAR GARAGE. Future
	I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property. Property owner signature Date 5 14 05
	FOR STAFF USE ONLY Reason for Land Use Permit: Distance Waiver for secondary quelling
	Secondar to be 6500 for
	Bran Redrolli Did PreAPP



635 N. Santa Rosa • San Luis Obispo • California, 93405

June 8, 2005

County of San Luis Obispo Department of Planning/Building County Government Center San Luis Obispo, CA 93408



Dear South County Team,

MINOR USE PLAN

Name: Martin Project Number: DRC2004-00242

The department has reviewed the minor use plans submitted for the proposed single family residence project located at 224 Squire Cyn. Rd., San Luis Obispo. The property is located within high fire hazard severity area, and will require a minimum 6-8 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

BUILDING SETBACKS

> All parcels one acre and larger shall provide a minimum 30-foot setback from all property lines.

ROOF COVERINGS

> All new structures within high fire severity zones shall have a minimum of at least a class 'B' roof covering.

RESIDENTIAL FIRE SPRINKLER SYSTEM

- > The proposed project shall provide a fire sprinkler system in the residence.
- > The fire sprinkler system shall comply with National Fire Protection Association Pamphlet 13D.
- > Three sets of plans shall be submitted to the County Building Departments.

WATER STORAGE TANK

- > A minimum of 5,600 gallons of water in storage shall be required.
- > Emergency water tanks shall have a:
 - 1. automatic fill,
 - 2. sight gage,
 - 3. venting system,
 - 4. minimum 4-inch plumbing schedule 40 PVC or iron pipe.
- > The system shall gravity drain to residential fire connection.

WATER SUPPLY CONNECTION

- One residential fire connection shall be required.
- > The connection shall be:
 - 1. on the driveway approach to the residence,
 - 2. not less than 50 feet, or exceed 150 feet from the residence,
 - 3. within 8 feet of driveway,
 - 4. two feet above grade.
 - 5. brass with 2½ inch National Standard male hose thread and cap,
 - 6. identified by a blue reflector,
 - 7. 8 feet from flammable vegetation.

> The Chief shall approve other uses not identified.

ROADS STANDARDS

- Access roads provide vehicular access to more than one lot of record or to one lot of record with more than four dwelling units.
- Access road widths shall be a minimum of 18 feet.
- > Access roads shall have an unobstructed vertical clearance of not less than 13' 6".
- Access roads shall be named and signed.
- > Road naming and signing shall occur prior to building final.
- Road name and sign information is available by phoning 781-5199.

DRIVEWAY STANDARDS

- > The driveway width shall be 16 feet,
- A driveway exceeding 300 feet shall provide turnaround within 50 feet of the residence.
 - 1. Turnarounds shall be a minimum 40-foot radius or a hammerhead/T 60 feet long.

ACCESS ROAD AND DRIVEWAY SURFACES

- > Access roads and driveways surfaces shall be:
 - 1. All weather surfaced to a maximum grade of less than 12%.
 - 2. Asphalt or concrete with a non-skid finish for any grade exceeding 12% to a maximum grade of 16%.
 - 3. Meet a load capacity of 20 tons

ADDRESSING

- > Legible address numbers shall be placed on all residences.
- > Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

- > To each side of roads and driveways a 10-foot fuel-break shall be provided.
- Maintain around all structures a 30-foot firebreak.
- 1. This does not apply to landscaped areas and plants.
- > Remove any part of a tree that is within 10 feet of a chimney outlet.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- > Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

> The project will require final inspection. Please allow five (5) working days for final inspection. When the safety requirements have been completed, call Fire Prevention at (805) 543-4244, extension 2220, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Gellan K

Fire Inspector

C:Mr. Kevin Martin, owner Heidi Gibson, Architect

